Husbands also does not describe ODV base as a crystalline material but rather describes a hydrogenation reaction to produce a solid that was then converted to a fumarate salt. Applicants enclose herewith a true and accurate copy (signed and witnessed) of two pages from Dr. Morris Husband's notebook (Attachment A) in which Dr. Husbands recorded the process of Example 26 and in particular describes that "the p-benzyloxy-analog of venlafaxine (referred to as 109-1) was dissolved in 100 ml of EtOH and added to 1.0 g of 10% Pd/C moistened with ethanol. Cyclohexa-1,4-diene (5ml) was added and the mixture stirred for about 90 minutes. The catalyst was filtered and the solvent removed. A glass was obtained. Wt 800 mg." Thus, Husbands does not teach a crystalline form of ODV base.

In view of the foregoing, Applicants respectfully maintain that neither Jerussi nor Husbands teach or suggest the invention of Claims 1 and 2 and this rejection should be withdrawn.

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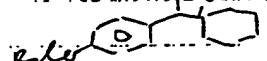
5.38g | 5708.007

Purification of  EtAc | MeOH 15705

8978-46-1 the system

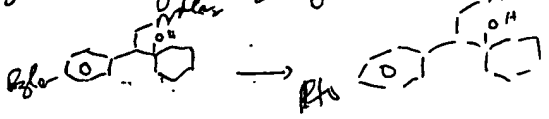
Fr	Vol	Solv	Res	Fr	Vol	Solv	Res.
1	500	EtAc	recycle	11	200	2%	
2	300	"		12	"	"	
3	125	"		13	"	"	
4	200	"		14	"	"	
5	"	"		15	"	"	
6	"	"		16	"	3%	
7	"	"		17	"		
8	"	"		18			
9	"	"					
10	"	"					

109-1 Tlc was done on most fractions. The product was present in fractions 10-16. Wt ~2 gm.
A small portion was converted to hydrochloride as usual

109-2 Wt:

OBSERVED
READ A. Rao
SIGNED

Eff. 13d

Catalytic Transfer Hydrogenation 

~1.1 gm 109-1 was dissolved in 100 ml EtOH and added to 1.0 gm. 10% Pd/C moistened with

ethanol. To Bicyclohexa-1,4-diene (5 ml) was added and the mixture stirred for ~ 90 mins. The catalyst was filtered and the solvent removed. A glass was obtained.

7970-110-1 UV 800 mg

7970-110-2

OBSERVED
READ W. Kerr
SIGNED

R.F.C. Husband